

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS E. MERTZ,)	
)	
Plaintiff)	
)	
v.)	Case No. 04-55 Erie
)	
DONZI MARINE, INC. and)	
AMERICAN MARINE HOLDINGS,)	Judge Cohill
INC., in its own right and d/b/a)	
DONZI MARINE,)	
)	
Defendants and)	
Third Party Plaintiffs,)	
)	
v.)	
)	
THE BOAT STORE,)	
)	
Third Party Defendant)	

ORDER

AND NOW, this 12th day of July, 2007, it is hereby ORDERED, ADJUDGED, AND DECREED that the "Motion for Reconsideration in Relation to this Court's Order of May 14, 2007, Denying Without Prejudice The Motion to Amend The Third-Party Complaint of Defendants and Third-Party Plaintiffs, Donzi Marine, Inc. and American Marine Holdings, Inc. Pursuant to Federal Rule of Civil Procedure 15(a) and (c)" filed by Defendants and Third-Party Plaintiffs, Donzi Marine, Inc. and American Marine Holdings, Inc. [Doc. #34] is GRANTED.

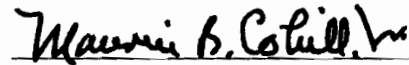
It is further ORDERED, ADJUDGED, AND DECREED that:

(1) the Third Party Complaint shall be Amended to change the name of the Third-Party

Defendant to "Szczesny Enterprises, Inc. d/b/a The Boat Store," that this change in parties shall relate back to the filing date of the original Third Party Complaint based upon compliance with Fed.R.Civ.P. 15 (c)(2) and (3), and that the Clerk of Court shall change the caption of this matter to name as the Third Party Defendant "Szczesny Enterprises, Inc. d/b/a The Boat Store;"

(2) the caption of this case is amended to read "Szczesny Enterprises, Inc. d/b/a The Boat Store;"

(3) Mr. Szczesny may not represent Szczesny Enterprises, Inc. d/b/a The Boat Store before the Court unless he submits evidence that he is a licensed attorney.



Maurice B. Cohill, Jr.
Senior District Court Judge

cm/ecf: counsel of record

cc: Szczesny Enterprises, Inc. d/b/a The Boat Store
c/o Greg Szczesny
5676 Luna Lane
Erie, PA 16506